

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Jose Francisco ORTIZ-MOLINA

Case No. 25-mj-30283

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 25, 2025 in the county of Macomb in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Title 8, United States Code, Section 1326(a)

Offense Description

Unlawful Re-Entry after Removal from the United States

This criminal complaint is based on these facts:

On or about April 26, 2025, in the Eastern District of Michigan, Southern Division, Jose Francisco ORTIZ-MOLINA, an alien from Honduras, was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about August 14, 2014, at Brownsville, Texas, and not having obtained the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326 (a).

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: May 2, 2025

City and state: Detroit, MI

*Complainant's signature*Michael Everson, BPA*Printed name and title**Judge's signature*Elizabeth A. Stafford, U.S. Magistrate Judge*Printed name and title*

AFFIDAVIT

I, Michael Everson, declare the following under penalty of perjury:

1. I am a Border Patrol Agent with the United States Department of Homeland Security, United States Border Patrol. I have been employed in this capacity since December 2011. Currently, I am assigned to the Detroit Border Patrol Station. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers to include Border Patrol Agents and record checks of law enforcement databases. I have also reviewed material from the official Immigration file and system automated data relating to Jose Francisco ORTIZ-MOLINA, which reveals the following:
2. ORTIZ-MOLINA is a forty-one-year-old male, native and citizen of Honduras, who last entered the United States at or near an unknown place, without being admitted, inspected, or paroled by an Immigration Officer.
3. On or about August 10, 2014, ORTIZ-MOLINA was arrested by Border Patrol Agents at or near Hidalgo, Texas for illegally entering the United States. He was processed for Expedited Removal.
4. On or about August 14, 2014, ORTIZ-MOLINA was removed from the United States to Honduras through Brownsville, Texas.
5. On April 26, 2025, Auburn Hills, MI, Police encountered ORTIZ-MOLINA following a vehicle traffic stop for vehicle equipment violation. There were two occupants in the vehicle and ORTIZ-MOLINA was the passenger. Auburn Hills Police contacted Detroit Border Patrol Agents for assistance to help identify the two subjects. Border Patrol Agents arrived to the Hazel Park Police Station to conduct an immigration check. Border Patrol Agents confirmed the identity of ORTIZ-MOLINA and that he was illegally present in the United States. He was transported to the Detroit Border Patrol Station for processing. His prior order of removal was reinstated.
6. Jose Francisco ORTIZ-MOLINA's fingerprints and photograph were captured and entered into the Automated Biometric Identification System (IDENT) and the Integrated Automated Fingerprint Identification System (IAFIS). The results revealed that ORTIZ-MOLINA is a citizen of Honduras with the foregoing immigration history who has been previously removed from the United States. The record checks did not provide any evidence that ORTIZ-MOLINA legally

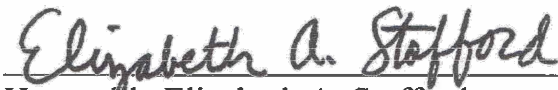
entered the United States or had been issued any document or status that would allow him to enter or remain the United States.

7. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
8. Review of the Alien File (A# xxx xxx 198) for Jose Francisco ORTIZ-MOLINA and queries in Department of Homeland Security databases confirm no record exists of ORTIZ-MOLINA obtaining the express permission from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States following his removal on August 14, 2014.
9. Based on the above information, I believe there is probable cause to conclude that Jose Francisco ORTIZ-MOLINA, is an alien who was found in the United States after removal, without the express permission from the Attorney General of the United States or from the Secretary of the Department of Homeland Security to re-apply for admission into the United States in violation of Title 8, United States Code, Section 1326(a).



Michael Everson, Border Patrol Agent
U.S. Department of Homeland Security

Sworn to before me and signed in my
presence and/or by reliable electronic means.



Honorable Elizabeth A. Stafford
United States Magistrate Judge